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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,481	11/21/2003	Carlton Lane	MSFT-2791/303661.01	3629
41505	7590	04/30/2007		
WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION)			EXAMINER	
CIRA CENTRE, 12TH FLOOR			PHAM, KHANH B	
2929 ARCH STREET				
PHILADELPHIA, PA 19104-2891			ART UNIT	PAPER NUMBER
			2166	
			MAIL DATE	DELIVERY MODE
			04/30/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/719,481	Applicant(s) LANE ET AL.	
	Examiner Khanh B. Pham	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 13, 2007 has been entered.

### ***Specification***

2. The disclosure is objected to because of the following informalities: application number and current for the related application listed on page 1, [0001] must be provided; Attorney docket number should be deleted.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lurie et al. (US 2002/0116698 A1), and in view of Crudele et al. (6,973,647 B2), hereinafter "Lurie" and "Crudele".

**As per claim 1**, Lurie teaches a method for deploying a device database to a device [0008] comprising:

- "providing an interface that enables a user to reference a device database in a device project and to select an installation property for installing the device database on the device" at [0051]-[0052];
- "deploying the device project to the device in a software development environment" at [0054]-[0055];
- "installing the device database on the device for testing of the device on which the device database is being installed, the device database being installed according to a selected installation property" at [0051], [0054];

Lurie teaches at [0061] that "each deployment is considered an instantiation of a particular package version" but does not explicitly teach "the selected installation property that specifies whether or not an existing version of the device database on the device should be overwritten by installing the deployed version of the device database" as claimed. However, Crudele teaches a similar method for software package deployment wherein each component of the package is associated with an "installation property that specifies whether or not an existing version of the device database should be overwritten by installing the deployed version of the device database" at Figs. 3-4.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Crudele with Lurie's teaching in order to "reduce the installation time and increase the dependability of installation of software package" as taught by Crudele at Col. 2 lines 6-8.

**As per claim 2**, Lurie and Crudele teach the method of claim 1 discussed above. Lurie further teaches: "providing an interface that enables the user to reference the device database in a main device project" at [0061].

**As per claim 3**, Lurie and Crudele teach the method of claim 2, further comprising: "providing an interface that enables the user to debug a test version of the device database on the device" at [0070].

**As per claim 4**, Lurie and Crudele teach the method of claim 1, further comprising "providing an interface that enables the user to reference the device database in a device setup project" at [0051]-[0052].

**As per claim 5**, Lurie and Crudele teach the method of claim 4 discussed above. Lurie also teaches: "deploying the device project to the device comprises distributing a finished version of the device database to the device" at [0061].

**As per claim 6**, Lurie and Crudele teach the method of claim 1 discussed above. Crudele also teaches: "providing an interface that enables the user to select an always overwrite installation property" at Figs. 3-4.

**As per claim 7**, Lurie and Crudele teaches the method of claim 1 discussed above. Crudele also teaches: "providing an interface that enables the user to select an overwrite if different installation property" at Figs. 3-4.

**As per claim 8**, Lurie and Crudele teach the method of claim 1 discussed above. Crudele also teaches: "providing an interface that enables the user to select a never overwrite installation property" at Figs. 3-4.

**Claims 9-26** recite method and computer readable medium for performing method similar to claims 1-8 discussed above and are therefore rejected by the same reasons.

#### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the Claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(571) 272-3574** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Khanh B. Pham  
Primary Examiner  
Art Unit 2166

April 25, 2007

